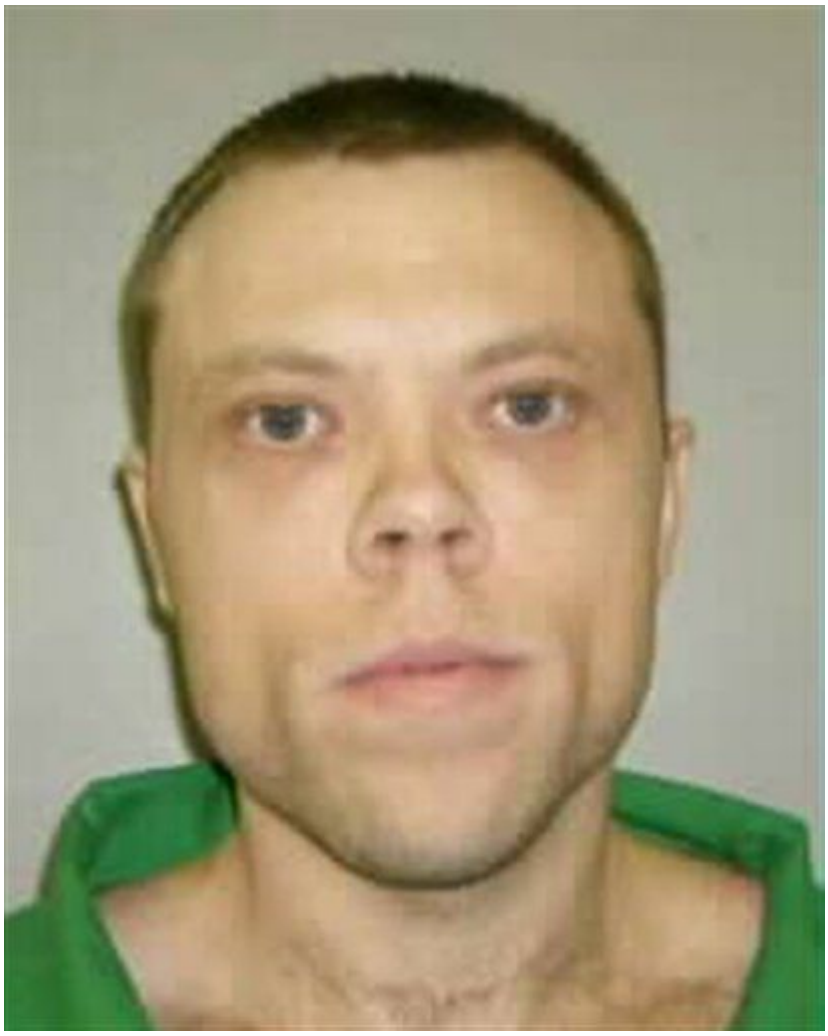
Warning – Execution may damage your health

A short article concerning the forthcoming execution of two convicted murderers in the United States, and the involvement of the British Reprieve organisation.



Triple killer Jeffrey Motts

Two days before the Royal Wedding, the British arm of the Reprieve organisation issued an urgent appeal on behalf of two men on Death Row in Texas and South Carolina.

Texas man Cary Kerr is facing execution on May 3, and Jeffrey Motts in South Carolina on May 6. Reprieve is opposed to the death penalty under any circumstances, however heinous the crimes and however compelling the evidence. Clive Stafford Smith, the organisation's founder, has even argued that Ted Bundy should not have been executed. That is an ideological position that one can take or leave, but the thrust of Reprieve's argument in the above cases is that the chemicals that will be used in these forthcoming executions have been supplied by the UK, whose government is likewise opposed to the death penalty under all circumstances. The death penalty was abolished here, in practice if not in theory, in the 1960s. Following the execution of James Hanratty, widely – and erroneously – believed to have been innocent – MPs voted against the will of the majority of the electorate for abolition. (The last legal execution in Britain was actually of two men on August 13, 1964).

In their briefing of April 27, Reprieve argue, curiously, that "pentobarbital ...was not intended for use in lethal injections and has never been clinically tested for the purpose. The new protocol hastily adopted by Texas (in less than three weeks, without scientific or medical consultation) is recognised to be particularly dangerous."

Yes, you read that right, a drug used to kill people is recognised as being dangerous.

Unlike with their earlier campaign for rightly convicted murderess Linda Carty, Reprieve do not argue that either of these men are innocent.

In March 2003, Kerr was convicted of sexually assaulting and murdering his neighbour Pamela Horton. There are those who protest Kerr's innocence claiming that he and the victim had consensual sex earlier, and that he was framed for her murder by a corrupt detective. The problem with this is that in his failed appeal to the Fifth Circuit Kerr did not argue that he had been wrongly convicted, only that he had been denied his constitutional rights, in particular that the death sentence had been applied improperly.

While innocent or guilty it is possible to make out a case for Kerr's life being spared, most jurists of reason would consider Jeffrey Motts to be an entirely different proposition. Motts was serving a double life sentence for the 1995 murders of his great aunt and uncle when in April 2006 he strangled a fellow inmate. He is also less concerned about his impending execution than Reprieve, having written to the Supreme Court asking that his appeals be dropped. Even if he were to be spared, he would not have much to look forward to as he would have to be kept in solitary confinement for the rest of his life.

[The above op-ed was first published April 30, 2011 [UK time], not April 29 as shown here.]